

WHEN RECORDED, MAIL TO:
Rocky Mountain Power
Attn: L. Louder / S. Graff
1407 West, North Temple, Suite 110
Salt Lake City, Utah 84116

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
02/14/2017 03:41 PM
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F TRANSPORTAT

Right of Way Easement

(CORRECTION INSTRUMENT)

Davis County

Project Name: SR-108
(2000 West; Antelope Dr. to 300 N.)
Tax ID No. 12-035-0014
PIN No. 11477
Project No. S-0108(33)4
Parcel No. 0108:193:2E

For value received, **Diane Elaine Palmer and Phillip Terry Palmer, Trustees of the Diane Elaine Palmer Family Protection Trust**, dated the 18th day of January, 1991, ("Grantors"), hereby grants to Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, ("Grantee"), an easement for a right of way for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchors, including guys and anchors outside of the right of way; wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, vaults and cabinets, on, over, or under the surface of the real property of Grantor in **Davis** County, State of **Utah** more particularly described as follows:

Part of an entire tract of property, situate in the NE1/4 SE1/4 of Section 4, Township 4 North, Range 2 West, Salt Lake Base and Meridian, in Davis County, Utah, more particularly described as follows:

Beginning at the intersection of the westerly highway right of way line of SR-108 (2000 West Street) and the southerly boundary line of said entire tract, which point is 2070.00 feet NORTH along the section line and 60.32 feet WEST from the southeast corner of said Section 4; and running thence WEST 6.02 feet along said southerly boundary line to the point of curvature of a non-tangent curve to the left with a radius of 7154.93 feet at a point 73.70 feet radially distant westerly from the right of way control line of said SR-108 (2000 West Street), opposite approximate Engineers Station 177+09.98;

thence northerly along said curve with an arc length of 64.24 feet, chord bears N.05°04'56"W. 64.24 feet to the point of curvature of a non-tangent curve to the left with a radius of 7150.95 feet at a point 75.00 feet radially distant westerly from said right of way control line, opposite approximate Engineers Station 177+74.87; thence northerly along said curve with an arc length of 36.22 feet, chord bears N.04°19'44"W. 36.22 feet to the point of reverse curvature of a curve to the right with a radius of 7295.00 feet concentric with said right of way control line at a point 75.00 feet radially distant westerly from said right of way control line, opposite approximate Engineers Station 178+11.50; thence northerly along said curve with an arc length of 19.95 feet, chord bears N.04°23'45"W. 19.95 feet to the northerly boundary line of said entire tract concentric with said right of way control line at a point 75.00 feet radially distant westerly from said right of way control line, opposite approximate Engineers Station 178+31.22; thence EAST 6.02 feet along said northerly boundary line to said westerly highway right of way line at the point of curvature of a non-tangent curve to the left with a radius of 7289.00 feet; thence along said westerly highway right of way line the following three courses and distances: (1) southerly along said curve with an arc length of 19.47 feet, chord bears S.04°23'51"E. 19.47 feet to the point of reverse curvature of a curve to the right with a radius of 7152.97 feet; (2) thence southerly along said curve with an arc length of 36.15 feet, chord bears S.04°19'45"E. 36.15 feet to the point of curvature of a non-tangent curve to the right with a radius of 7162.31 feet; (3) thence southerly along said curve with an arc length of 64.80 feet, chord bears S.05°04'47"E. 64.80 feet along said westerly highway right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract contains 723 square feet in area or 0.017 acre.

(Note: Rotate above bearings 0°30'10" clockwise to equal Highway bearings).

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future right to keep the right of way and adjacent lands clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place, use or permit any equipment or material of any kind that exceeds twelve (12) feet in height, light any fires, place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops

and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

(Note: This instrument is given to correct that certain Easement recorded as Entry No. 2977341 in Book 6630 at Page 1780-1782 in the office of the Davis County Recorder, Utah.)

WITNESS, the hand of said Grantor, this 23rd day of January, A.D. 20 17.

Signed in the presence of:

Desiree Vargas

STATE OF Utah)
) ss.
COUNTY OF Davis)

Diane Elaine Palmer, Trustee
Diane Elaine Palmer, Trustee

Phillip Terry Palmer, Trustee
Phillip Terry Palmer, Trustee

On the date first above written personally appeared before me, Diane Elaine Palmer and Phillip Terry Palmer, who, being by me duly sworn, acknowledged to me that they signed the within and foregoing instrument in accordance with the authority as Trustees given under the instrument creating said Trust, and that as Trustees they executed the same.

Desiree Vargas
Notary Public

